

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES J. SENIOR, NORMAN FAHY,
RONALD D. PHIPPS, RAYMOND W.
POSTMA, THOMAS G. HIRL,
GARRETT M. FAGAN and UNITED
STEELWORKERS OF AMERICA,
LOCAL 12004,

Plaintiffs

v.

NSTAR ELECTRIC AND GAS
CORPORATION and COMMONWEALTH
GAS COMPANY,

Defendants.

Civil Action No. 04-10160-EFH

**DEFENDANTS' RENEWED MOTION TO PROHIBIT USE OF EXPERT WITNESS
(CAROL CHANDOR) AND STRIKE EXPERT REPORT, AND IN ALTERNATIVE FOR
LEAVE TO CONDUCT DEPOSITION**

Defendants NSTAR Electric and Gas Corporation and Commonwealth Gas Company ("Defendants") renews their motion, filed on March 4, 2005, that Plaintiffs be precluded from relying upon the opinions of Carol Chandor ("Ms. Chandor"), designated by Plaintiffs as an expert witness. Defendants further move that Ms. Chandor's expert report, and all exhibits thereto (attachment 18 Attachments to Plaintiffs' Statement of Undisputed Facts, submitted in support of Plaintiffs' Motion for Summary Judgment) be stricken. In the alternative, Defendants pray that they be granted leave to conduct Ms. Chandor's deposition. The grounds for this motion, as set forth in the memorandum of law submitted on March 4, 2005, are that Ms. Chandor is expected to provide opinions, both in opposition to Defendants' Motion for Summary Judgment and at trial (if necessary), on subjects which are inappropriate for expert testimony.

Respectfully submitted,

NSTAR ELECTRIC AND GAS
CORPORATION and COMMONWEALTH
GAS COMPANY,

By their Attorneys,

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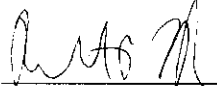
By: 

Keith B. Muntyan
B.B.O. #361380
Robert P. Morris
B.B.O. #546052

Dated: April 8, 2005

CERTIFICATE OF SERVICE

I, Robert P. Morris, certify that on April 8, 2005, I caused to be served a copy of the within pleading by hand on counsel for Plaintiffs, Warren H. Pyle, Pyle, Rome, Lichten, Ehrenberg & Liss-Riordan, P.C., 18 Tremont Street, Suite 500, Boston, MA 02108.



Robert P. Morris